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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

FOREST DEPARTMENT

Smt. K.V. SUBBALAKSHMI, FBO (VFW) FORMERLY YAPARLAPADU BEAT OF KURNOOL RANGE OF KURNOOL (T) DIVISION OF KURNOOL CIRCLE - UNAUTHORIZED ABSENCE DUTY SINCE 12-05-2016 ONWARDS.

- Ref:- .1. This office Rc.No. 1578/2016-H4, Dated : 31.10.2018.
2. CCF, Kurnool Rc.No. 2854/2016/M1, Dated : 27.12.2018.

Rc.No. 1578/2016/H4,- It is submitted that Smt K.V.Subbalakshmi, FBO (VFW) formerly Yaparlapadu Beat of Kurnool Range of this Division was unauthorizedly to duty since 12.05.2016 and her whereabouts are not known. In this connection, an Article-II of charge was issued against her in connection to AOC issued in DFO, Kurnool Rc. No. 741/2016/H10, Dated : 13.05.2016.

It is further submitted that the Forest Range Officer, Kurnool Range in his Rc.No.09/2016 Dated : 29.11.2018 has reported to this office that inspite of efforts taken to trace out of Smt K.V.Subbalakshmi, FBO (VFW) for communication of Article-II of AOC issued in DFO, Kurnool Rc.No.741/2016/H10, Dated : 25.01.2018, her where abouts are not known as such the Ctharges could not be served on her.

In this connection, it is further submitted that the above facts and circumstances were reported to the Chief Conservator of Forests, Kurnool and requested further process in this case. It is submitted that vide reference 2nd cited, the Chief Conservator of Forests, Kurnool has instructed to take further necessary action for communicating the Article of charges to Smt K.V.Subbalakshmi, FBO (VFW) of this Division as per the provisions contained in Rule 42(iii) of A.P.CC&A Rules, 1991 and take necessary action for finalization of disciplinary proceedings as per rules in vogue. In this context it is submitted that Rule 42(iii) of APCC&A Rules, 1991 speaks that if the document cannot be so served or communicated be published in A.P.Gazette.

In compliance to the instructions inforce, I am submitting herewith a copy of Article-II of AOC issued in DFO, Kurnool Rc.No.741/2016/H10, Dated : 25.01.2018 in respect of Smt K.V.Subbalakshmi, FBO (VFW) for favour of kind information.

ANNEXURE-I

Statement of imputation and misconduct framed against Smt K.V.Subbalakshmi, FBO(VFW) formerly Yaparlapadu Beat of Kurnool Range of Kurnool (T) Division proposed to be sustained

Smt K.V. Subbalakshmi, FBO(VFW) formerly Yaparlapadu Beat of Kurnool Range, during said period she has grossly neglected her legitimate duties has mentioned in the following article.

Article-II:

That Smt K.V.Subbalakshmi FBO(VFW) formerly Yaparlapadu Beat of Kurnool Range of Kurnool (T) Division has grossly neglected her legitimate duties resulting in unauthorized absence to duty w.e.f 12.05.2016 in violation of Sec.157 of A.P. Forest Code and Rule 3 of AP Civil Services (Conduct) Rules, 1964.

Basis of Charge:

Smt K.V.Subbalakshmi, FBO(VFW) while working in Yaparlapadu beat of Kurnool Range has applied leave from 12.05.2016 to 12.06.2016 vide her application Dated : 11.05.2016. The same was rejected vide this office Rc.even no., Dated : 12.05.2016 in view of ongoing works in Yaparlapadu beat of Kurnool Range which are time bound and schedule to complete. Accordingly, she was directed to report duty immediately failing which further action will be initiated against her as per agreement conditions and Rules inforce.

Further, a notice also issued to Smt K.V.Subbalakshmi, FBO (VFW) vide this office Rc.No.741/2016/H10, Dated: 01.06.2016 on following counts.

- i. A explanation memo was issued to against her vide this office Rc.No.741/2016/H10, Dated : 27.02.2016 for not completing the works in Central Nursery in Yaparlapadu beat of Kurnool Range and directed her to submit the explanation for disobedience of the instructions of superiors and show cause why disciplinary action shall not be taken against her for negligency of duty. She has not submitted her explanation even lapse of three months though she acknowledged the receipt of explanation on 05.03.2016.
- ii. An AOC was issued against her for not completing the works in her Beat and failed to discharge her legitimate duties as assigned in Sec.157 of A.P.Forest Code and Rule 3 of AP Conduct Rules, 1964 vide this office Rc.No.741/2016/H10, Dated: 13.05.2016.
- iii. Though the leave applied by her was rejected and directed her to join duty duly informing the agreement conditions of her service to the Department. She acknowledged the receipt of notice on 12.09.2016 and submitted her explanation Dated: 04.10.2016 with a request to allow her to join duty. Though she was directed to join duty immediately in the exigency of service, she had just submitted her joining report, but leave the headquarters without prior permission from the Competent authority on the flimsy reasons and to evade to join duty and proceeded on unauthorizedly absence to duty since a long without permission from the Competent Authority by violating the Conduct rules which clearly speaks her negligency towards legitimate duties and disobedience of orders of the Superiors. Thus she violated the following agreement conditions being appointed on contract basis.

Agreement condition no.4: speacks that “the first party reserves the right to terminate the contract appointment at any time without assessing any reason by giving 1 month notice to the second party or by paying the one month emoluments in lieu thereon”.

Agreement condition no.7: The second party shall have to work within she frame work of the Department policies and directions as may be issued to second party by the department/Appointing authority from time to time.

In this regard she has failed to work as per Departmental policy and direction. Due to her negligence nursery wo4rks could not be completed and she violated the department rules. She has not submitted her explanation till date even after lapse of (3) months which is serious lapse on her part and disobedience of the superior instructions.

Agreement condition no.10: The absences of second party (VFW) for a continuous period of (10) days or overstayed for period of (10) days after expiry of leave the contract shall automatically come to an end, without any notice or intimation from the 1st party (Divisional Forest Officer).

From the above norms, her services are became unsatisfactory and why her services shall not be discontinued in violation of agreement conditions.

Further, the Government vide G.O.Ms.No.127, G.A(Ser-C), Dept., Dated : 15.09.2017 while amended the rule 9 of APCS (CC&A) Rules, 1991 the following provisions are incorporated.

- I. After Clause (ix) of Rule 9 of said Rules the following shall be incorporated ;

Provided that a Government Servant shall be deemed to have been removed from service, if he/she:

- (a) Is absent from duty without authorization for a period exceeding one year ; or

Provided further that a show cause notice to explain the reasons for such absence from duty before invoking the above said proviso.

- II. In clause (i) of Rule 25 of the said Rules the following shall be incorporated.

“Misconduct leads to a penalty imposed as per 1st proviso under Rule 9 (ix) of these Rules, or”

It is obvious from the above that you have grossly neglected your legitimate duties and unauthorized absence from duty beyond one year, thus resulting in failure to maintain absolute integrity, discipline which amounts to misconduct, misbehavior and unbecoming of a government servant in violating of Sec. 157 of A.P. Forest Code, Rule 3 of AP Civil Services and also violated the prescribed agreement conditions pertaining to her service in the department. Hence, the charge.

Dated : 21-01-2019.

D. CHANDRASEKHAR RAO,
Divisional Forest Officer,
Kurnool Division, Kurnool.

To

Smt K.V. Subbalakshmi, FBO (VFW) //Through the Forest Range officer,
Kurnool Range //